

Notice of Allowability**Application No.**

10/561,377

Applicant(s)

SPAHN, MARTIN

Examiner

NANCY BITAR

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/18/2009.
2. ☒ The allowed claim(s) is/are 13,17-20,25 and 26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 5/12/2009.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Nancy Bitar/
Examiner, Art Unit 2624

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mrs. Ye Ren on 5/12/2009.

The application has been amended as follows:

Please amend claim 13 lines 2 and 3: add "using a processor to do the following steps; " after the word comprising and before the word providing.

Please amend claim 20 line 1: delete the words "unit adapted to" and add the word "system to" after the word refining and before the word modifying.

Also on line 5 delete the word some and add the word "one" after the words at least and before the word current .

Please amend claim 26 line 5 please delete the word " unit" and add the word system between refining and of claim 20

Allowable Subject Matter

2. Claims 13,17-20,25 and 26 are allowed (now renumbered 1-7).

The following is an examiner's statement of reasons for allowance: After reviewing the remarks made by the Applicant in response to the non-final office action the Examiner finds the

remarks to be persuasive. The most pertinent prior art is Schmitt et al (US 2003/0108154) and Takasawa et al (US 6542579). Schmitt clearly teaches the selection device modifies the image that is read out dependent on an input of a device parameter undertaken at the operating device before the modified image is displayed at the display device. This offers the advantage that the integrated help function of the inventive examination apparatus is fashioned especially true-to-life. Compared to a procedure wherein different images would also be stored for different settings of a device parameter, there is also the advantage of a lower memory capacity. As a result of the input of the device parameter being accomplished in the image, the operator is provided with an impression of what would be produced in the examination result given an actual drive of the examination apparatus with this device parameter. Therefore, Schmitt et al teaches the standard images which gives an impression of the expected x-ray image on the basis of capture parameter settings which do not give an impression of the result of an image processing step. Takasawa et al. discloses the operation screen that includes a message area 120, an image display area 121, an object information display area 118, a photo-taking condition display area 119, and various setting keys. The setting keys are: a patient (object) information dialogue call key 122 for calling a patient information input dialogue; photo-taking region keys 125 for inputting a photo-taking region; body type keys 124 for inputting the body type of a patient; a photo-taking termination key 126 to be pressed when photo-taking for each object to be examined is completed; a photo-taking parameter change key 123 for changing set photo-taking conditions or image processing parameters; and a setting key 127 for performing various settings.

Neither Schmitt nor Takasawa discloses : a standard parameter sets from which a current parameter set is chosen and selecting at least some standard parameter sets from a plurality, of available standard parameter sets; and forming a current parameter set from the selected standard parameter sets, wherein when a parameter set comprises a two-dimensional matrix of parameters law ($i = 1, 2, 3, \dots$), then a current parameter set $p_{k,i}$ is formed of a linear combination of selected standard parameter sets $p_{N,i}$ ($i = 1, 2, \dots, K$) from the plurality of available standard parameter sets $p_{N,k}$ ($k = 1, 2, \dots, K$), and

, wherein $p_{N,i}$ represents a parameter P_{ij} in a selected standard parameter set $p_{N,i}$ wherein $p_{k,i}$ represents a parameter P_{ti} in a current parameter set $p_{k,i}$ wherein a summation defined by said equation extends through each of the selected standard parameter sets $p_{N,i}$ ($i = 1, 2, \dots, K$), where a_j represents a weighting factor of the selected standard parameter set $p_{N,i}$ and wherein each weighting factor a_j is a number whose value ranges from a value of zero to a value of one, and wherein a sum of all weighting factors a_j ($i = 1, 2, \dots, K$) yields a value of 1. The Examiner finds no reason or motivation to combine the above references in an obviousness rejection thus placing the application in condition for allowance.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NANCY BITAR whose telephone number is (571)270-1041. The examiner can normally be reached on Mon-Fri (7:30a.m. to 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vikram Bali can be reached on 571-272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nancy Bitar/
Examiner, Art Unit 2624

/Vikram Bali/
Supervisory Patent Examiner, Art Unit 2624